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PUBLIC HEALTH SERVICE
CENTERS FOR DISEASE CONTROL AND PREVENTION
NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH

convenes the

THIRTY-THIRD MEETING

ADVISORY BOARD ON
RADIATION AND WORKER HEALTH

VOL. II

DAY ONE

ABRWH BOARD MEETING

The verbatim transcript of the
Meeting of the Advisory Board on Radiation and
Worker Health held at the Knoxville Marriott,
Knoxville, Tennessee, on October 17, 2005.

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October 17, 2005

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TRANSCRIPT LEGEND

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In the following transcript: a dash (--) indicates an unintentional or purposeful interruption of a sentence. An ellipsis (. . .) indicates halting speech or an unfinished sentence in dialogue or omission(s) of word(s) when reading written material.

-- (sic) denotes an incorrect usage or pronunciation of a word which is transcribed in its original form as reported.

-- (phonetically) indicates a phonetic spelling of the word if no confirmation of the correct spelling is available.

-- "uh-huh" represents an affirmative response, and "uh-uh" represents a negative response.

-- "*" denotes a spelling based on phonetics, without reference available.

-- (inaudible)/ (unintelligible) signifies speaker failure, usually failure to use a microphone.

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BEHLING, KATHY, SC&A
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MAURO, JOHN, SC&A
PIERCE, WILLIAM, X10-Y12-K25 K33
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ROBERTSON-DEMERS, KATHY, SC&A
RYAN, MAXINE, Y-12
SAMPSON, BOB, GAO
SCHAUER, DAVID, NCRP
SIMS, JOHN, IGUA

SMITH, KAREN D., Y-12
SNELLINGS, HOWARD
TOOHEY, RICHARD, ORAU
WALKER, ED & JOYCE, BSAG
WOODY, RUTH, CLAIMANT
WORMSBY, PATSY E.
WRIGHT, BETTY R., Y-12
ZIEMER, MARILYN

P R O C E E D I N G S

(3:50 p.m.)

WELCOME AND OPENING COMMENTS

DR. PAUL ZIEMER, CHAIR

1 **DR. ZIEMER:** I now will call to order the meeting
2 of the Advisory Board on Radiation and Worker Health.
3 Let the record show that we do have a quorum. All
4 members are currently present with the exception of
5 Dr. Melius, and Mr. Espinosa, and Mr. Owens, but we
6 do have a quorum so we will now meet as a full
7 committee. Again, let me remind everyone present, if
8 you have not already done so, please register your
9 attendance with us today in the registration book in
10 the foyer.

11 **GENERAL PUBLIC COMMENT**

12 We're going to get the public comment request
13 list here in just a moment. We have reserved one
14 hour for public comment, and depending on the number
15 of commenters, that will determine how much time, I
16 guess, each person has as a maximum. And I might
17 allow you to loan time to others if you're very
18 brief. Actually, we don't have enough speakers for
19 people to be brief.

20 I'm going to begin though with, we will begin

1 with the local folks. We have several people from Y-
2 12, and I'd like to begin with Thomas Duncan. And if
3 you would approach the mikes, individuals who are
4 going to speak, and approach the mike and identify
5 yourself further, and then you may give us your
6 comments.

7 Is Mr. Duncan here? I am two minutes early.
8 Let's see if, it looks like, could it be Maxine Ryan
9 or -- is it Maxine? Am I reading it correctly?

10 **MS. RYAN-WRIGHT**: No, that's my mother. I'm her
11 daughter. My name is Betty Ryan-Wright.

12 **DR. ZIEMER**: Oh, okay.

13 **MS. RYAN-WRIGHT**: My father worked at Oak Ridge,
14 and he died a miserable death. He had his skull
15 removed and a titanium plate put in. And that last
16 time I saw him I didn't even recognize him, and he
17 told me he didn't recognize himself. This was him
18 before, and this was him (unintelligible).

19 My situation is I've listened to all the things
20 that you've said. I talked to doss (ph) people. I
21 have talked to John Duncan. I have talked to
22 Alexander. My situation is that my mother is 81
23 years old. And you all can discuss this and discuss
24 this and discuss how many dosages had and everything
25 like that. And when I used to ask my father what he

1 did for a living, he would tell me if he told me he
2 would have to kill me, that it was a secret. And he
3 trusted that secret.

4 And the main thing that I want to tell you is my
5 father trusted where he worked. He believed in what
6 he was doing. He believed that he was secure where
7 he worked. He had a wonderful job. He was proud of
8 it. Now when he died in diapers, and he died gasping
9 for breath, and he died a miserable death that he did
10 not deserve. And I asked him, I said, Daddy, did
11 this come from Oak Ridge? And he said, absolutely.

12 And they took depositions from him. They came
13 and went downtown and talked to them, and my mother
14 has a book this thick. And some of the things he's
15 told them that he would not tell them because he took
16 an oath not to tell. And my mother was just talking
17 to me when you all mentioned some things about the
18 urine and everything like that, that sometimes his
19 urine was so high that they would put him in a room
20 and let him rest there listening to music until for a
21 certain amount of time.

22 And she had to take clothes to him one time
23 because he'd been in some radiation. And she brought
24 those clothes home to us, but nobody knew. Nobody
25 knew. My father trusted. And in the paper not long

1 ago there was a thing about my father and his, my
2 grandfather and my father and my uncles came down
3 from Chicago, and they worked at Oak Ridge in
4 construction. They built Oak Ridge. They built the
5 secret city, and then my father went into the plant
6 and worked for 29 and a half years.

7 They worked at K-25. They worked at Y-12. I
8 can't tell you everything he did because I don't
9 know, but the thing that was in the paper not long
10 ago that someone came after the Oak Ridge had been
11 built and after the war was over. And I'm a baby, a
12 boomer baby. I'll be 60 in December, December the
13 7th, Pearl Harbor Day. It wasn't Pearl Harbor Day
14 that I was born.

15 But they told the people there that you are
16 important. You are heroes. They came and they gave
17 them the E Award because they said that you hastened
18 the peace. And so my father was a hero. And I would
19 like to, and there's a settlement that my mother's
20 supposed to get. And my mother is 81, and she is in
21 failing health. She could not get up here and speak
22 to you. That's why I'm speaking for her. And she
23 could probably tell you more about what he did and
24 how long he worked here and there, and give you more
25 details than I can, but she's unable to. And I would

1 like to see her get a settlement and her number's
2 like 10,000 and something. I would like to see her
3 get the settlement before she dies, before I die.

4 And the woman that was in Brazil, I have a
5 message for you. I have two adopted sons from
6 Brazil, so that's all. I just wanted to put a face.
7 I wanted you to see that this is personal. It's not
8 all about all your wonderful brain power that you
9 have in this room. What we need to learn to do is
10 make places safer for people to work where they don't
11 die like my father did.

12 DR. ZIEMER: Thank you very much, and certainly
13 there are many such heroes in this community.

14 Now Randy Layman. Randy, yes.

15 MR. LAYMAN: My father went to work at Y-12 in
16 1958, and he died of myelomitic leukemia in 1981. My
17 father fell suddenly ill on a Sunday night. He was
18 six-two, 235 pounds. Tuesday, they diagnosed my
19 father with leukemia right over here at this hospital
20 across the river. Thursday, they gave him a
21 chemotherapy, and Friday he died holding my hand. My
22 dad didn't go a slow, agonizing death, but he went
23 really quickly. And he told me at the hospital that
24 he knew for a fact that where he worked contributed
25 to killing him.

1 Now I don't know. You guys are scientists, but
2 we call ourselves Ridgers. People at Oak Ridge are
3 very tight. We're clannish in East Tennessee, and
4 I'm proud of that. But here's what I want to say to
5 you. Somebody mentioned 92-12. Well, my daddy
6 worked at 92-01, 92-02, Beta-4 and Alpha-5, large
7 fabrication plants. Somebody up here mentioned
8 material handlers, somebody that might touch
9 something. Well, my dad was a machinist. He turned
10 metal at high speed where these shavings flicked in
11 the air, in 1958, 1959, 1960, way before your 1961.

12 Did you ever hear about them walking through
13 mercury knee deep at Y-12? Has anybody ever heard of
14 cleaning metal with benzene? Y'all know what benzene
15 will do to you? Would anybody up here handle metal
16 treated with benzene and live to tell it? But my dad
17 was like this. He loved this country, and if he was
18 alive today, he'd go right back to Y-12. Would you?
19 You all have your homes to go to. I have my home to
20 go to. My father's in his eternal home, but when he
21 was here, he wanted to protect this country, the arms
22 build-up, you all know all about it.

23 NIOSH has been telling me for two and a half
24 years, we're in dose reconstruction. We're in dose
25 reconstruction. Now it's in the hands of a

1 physicist. Well, what kind of a physicist do you
2 have to have to know that somebody died from those
3 materials out at the plant? I'm not a scientist, but
4 yet I know it. What do you guys know? Can you all
5 settle this?

6 I'll tell you one more thing, we were told that
7 the money from the government was appropriated to
8 NIOSH to settle our cases, but you all spent the
9 money, and now the government has had to rededicate
10 the money, and it come across the ticker on Fox News
11 that it would be settled soon. Are you going to
12 spend it again or are you going to give it to the
13 families? Your comments.

14 DR. ZIEMER: Thank you very much, and
15 incidentally maybe NIOSH can speak to this, but the
16 money that is used in the settlement, we do not have
17 any access to that, that's in the Federal Treasury;
18 is that not correct? Mr. Elliott or someone can
19 address that, but that money is not used for the
20 expense of this board.

21 MR. ELLIOTT: That is correct. The Award Fund is
22 an entitlement fund in the Treasury, and it is
23 replenished once it reaches exhaustion. I think it's
24 been replenished two or three times. The money
25 that's appropriated to administer the program is a

1 separate set of funds and that's allocated on an
2 annual appropriations basis.

3 DR. ZIEMER: Let me check, and yes, thank you,
4 Mr. Layman for addressing.

5 MR. LAYMAN: Layman (pronouncing).

6 DR. ZIEMER: Layman (pronouncing), okay, thank
7 you.

8 Did Thomas Duncan come in? Thomas Duncan.
9 Perhaps he thought he was signing up for tomorrow, so
10 we'll check on that again. Also, are there any other
11 Oak Ridge folks that didn't get a chance to sign up
12 to speak that do wish to address the assembly? Any
13 other Oak Ridge folks?

14 Again, many may wish to do that tomorrow in our
15 evening public comment session.

16 Oh, I'm sorry. I missed your hand, sir. If you
17 would approach the mike, we'd be pleased to hear from
18 you. And please give us your name for the record.

19 MR. SNELLINGS: Howard Snellings.

20 DR. ZIEMER: Howard, is it Howard?

21 MR. SNELLINGS: Howard Snellings, yes, sir.

22 I started at Oak Ridge when I was 16 years old.
23 I been into ever ditch, run off from all the plants,
24 and I developed a cancer on account of that. That's
25 my belief. And the cancer, it's prostate cancer.

1 Well, I believe I got it by working down in all that
2 ditch (unintelligible), and run-off from the plants.

3 I worked at Y-12 when they, back in '62 when they
4 tore everything out of Y-12 buildings and remodeled
5 them. And I handled some of that stuff that come out
6 of the buildings. I don't know what it was, but I
7 know that I have cancer over it. That's my comment.
8 I worked down there since I was 16 years old, and I'm
9 77 years old now.

10 DR. ZIEMER: Thank you very much.

11 Anything further?

12 Yes, ma'am.

13 MS. CLELAND: I'm very glad that you had these
14 meetings for us because I was very confused about the
15 time line. My number is in the 5,000s.

16 DR. ZIEMER: Yes, can you give us your name,
17 please.

18 MS. CLELAND: Reina Cleland.

19 DR. ZIEMER: Reina? Do you want to spell that
20 for --

21 MS. CLELAND: R-E-I-N-A Cleland, C-L-E-L-A-N-D.

22 And my sentiments are like these people. This
23 board has not addressed a time line. I worked at Oak
24 Ridge myself for ten years, so I'm in the information
25 business. And so I've enjoyed this because I think

1 you're going to prevent this recurring from what I
2 see of this research approach, but I do wish there
3 were a time line. I feel like someone earlier who
4 had said, I'm 86 so that I hope there is a settlement
5 before I die. And my daughter is very concerned that
6 we did not put her name as the prime because it's
7 taking so long. But I just wish the time were
8 addressed.

9 DR. ZIEMER: We will be hearing a report actually
10 tomorrow, I think, on the status of the program, and
11 you'll learn from Mr. Elliott or his people about the
12 numbers of claims and the numbers that have been
13 processed. I do know that amazingly enough they
14 announced they have processed now over 10,000 claims,
15 I believe, was the number, Larry, that you passed
16 earlier this year which is more than half of the
17 claims that have been submitted. Is that not
18 correct?

19 MS. CLELAND: Does that mean that number 5,000 is
20 --

21 DR. ZIEMER: No, actually, the other -- that's
22 the good news. The bad news, the other part of it is
23 that some of the claims are much more complex and
24 difficult, and there is a backlog of some of the
25 earlier claims that are still being processed. But,

1 and you'll get, if you're here tomorrow, you'll get
2 those numbers. If you're not going to be here
3 tomorrow, I'm sure Mr. Elliott can provide them for
4 you.

5 But there is a concerted effort going on to try
6 to get many of those early claims completed as soon
7 as possible. But as I say, the simpler ones were
8 handled early on simply because they could be, but
9 many were more complex, either the nature of the
10 claim or other issues, completeness of information
11 and so on.

12 Also, I have on the list Ed Walker. Ed has
13 driven down here from New York state. He's, Ed is
14 the spokesman really for the Bethlehem Steel group
15 and has been able to attend a number of our meetings
16 in the past. And since Bethlehem Steel is on this
17 schedule again, he is kind enough to be with us. Ed,
18 I think, drove 800 and some miles to attend the
19 meeting so he's a real trooper.

20 Ed, welcome.

21 **MR. WALKER:** I want to thank you, Dr. Ziemer, and
22 the board and everyone involved for allowing me to
23 speak to you. (Inaudible) I want to speak to we
24 think (inaudible) meetings that we've had and how
25 we've been working compared to what went on when we

1 first started this system. I was really pleased, and
2 it was really helpful in some of my information. And
3 you ought to know by now that I will not be talking
4 figures. But I did work at the plant and
5 (inaudible). And a lot of these issues really
6 haven't been addressed since we started.

7 Two thousand one is when I signed up, and I put
8 my application in. And ten months later I found out
9 there was going to be a dose reconstruction. It had
10 been reported in newspaper articles that we would be
11 receiving. I signed up in November 1, we'd be
12 receiving compensation -- and the group feels that
13 way, everyone I talked to. Ten months after, we
14 found out we're coming into a dose reconstruction.
15 That's fine if that's what they felt we had to do.
16 After that it was, it was March of '03 that dose
17 reconstruction was approved. Okay, we waited quite
18 awhile by then. They (unintelligible) people.

19 So then we were told some of these fellows from
20 NIOSH and, I believe, some of the board members, and
21 I believe, no there wasn't -- auditing hadn't been
22 involved, SC&A, but we had some meetings. And we
23 decided it would be a good idea if we talked to the
24 site experts. Well, our dose, the technical base
25 document had already been completed at that time, 16

1 months prior to that, and we were being denied.

2 So we had a meeting in Hamburg, and we saw the
3 site profile. We'd been denied for 16 months, and
4 now we're told at that meeting that, they give us
5 some of the stuff that happened, that they knew what
6 went on at Bethlehem Steel. I couldn't understand
7 that, and the group can't understand if we had a
8 technical base document that was put together and no
9 one had ever talked to any of the site experts, how
10 could you really tell what the people were involved
11 in? This bothers us considerably. We still to this
12 day cannot figure out how you can do that, make an
13 assumption from 800 miles away and never visit the
14 site.

15 Two months prior to that meeting, I got a phone
16 call, and I was asked if the building is still
17 standing. I said, my god, if you've got a site
18 profile and you don't even know if the building is
19 there, and you haven't talked to anybody, what's in
20 this technical base document to represent the
21 Bethlehem Steel workers or what went on? So at that
22 meeting, I think one meeting before the SC&A was
23 involved, and that was, I believe, the board meeting
24 in Buffalo, New York, we met with the SC&A.

25 And Kathy came up and she says, Ed, could you

1 give me the name of some of the site workers? And I
2 gave her a list. I can't remember, maybe 10 or 12
3 people that worked at the site. And I says, well,
4 here they are. These are the people that I know.
5 Some of them may have worked a little later, but
6 they'll give you an idea of the layout of the plant.
7 And I felt good about that because nobody had asked
8 me up to this point about that. So I gave her the
9 names and she looked into them.

10 At that meeting there was a real lack of concern.
11 I'm only telling you. I'm not trying to hurt anybody
12 or discredit anybody for what they done, but I'm
13 telling you how we feel, and how the group felt. At
14 that working meeting, 16 months after the technical
15 base document, I really felt that there was no
16 concern from NIOSH because the information that we
17 gave them wasn't questioned.

18 Arjun was there. We went till noon. Most of the
19 fellas had to leave. We signed in in the morning and
20 went to noon. Arjun was there, and he would stop the
21 workers as we were talking and say, what specifically
22 does that mean? Where were you? What did you do? A
23 concern of what the workers had, but this didn't
24 happen from the rest of the people that were present
25 and that bothered me quite a bit. I felt that there

1 should have been more concern from them than there
2 was SC&A. I was wrong apparently.

3 I'm going to jump into jump into Arjun's visit
4 that he done last December. We had our meeting on
5 the 6th of October, just recently. Some of you were
6 there, and Mr. Elliott made a statement which I want
7 to apologize to him right now. I made a statement
8 that I want to apologize right now in front of you
9 people. He said -- I said that Mr. Elliott didn't
10 respond to my letters. Mr. Elliott did respond to my
11 letters. I think what I was more referring to are
12 the issues that I never got answers for from day one.
13 And I was wrong, and I apologize. I hope he accepts
14 my apology, but he certainly deserves it.

15 Arjun called me a couple days later. He come up
16 to Buffalo, and again, the concern about these air
17 samples which I saw and mentioned, I believe, at that
18 meeting that were 500 feet away from where the
19 actual, where the work was really being done, the
20 rolling was being done. And he came up, and he asked
21 me to get some people together on a Saturday
22 afternoon, and we were corresponding back and forth
23 by the phone or talking on the phone. And we made
24 the arrangements that he would come up Sunday. And I
25 was so impressed with SC&A again that they would have

1 the concern to come up there on a Sunday to
2 straighten out some issues that had some gray areas
3 in them.

4 And we got the information from this gentleman
5 that worked there. It was a meeting that I feel that
6 really NIOSH should even at this stage come up and
7 talk to these people that worked there and what
8 really went on in Bethlehem Steel. Arjun took all
9 the information down. I had one more fellow lined
10 up, but he says, Ed, I've got all the information --
11 I think we spent about two, two and a half hours --
12 and he says, I've got all that I need, and he says,
13 if I didn't, he says, if I had to I'd stay another
14 day. That to me showed real concern, and somebody
15 that's really concerned about the workers, and that's
16 more than I had ever received before.

17 We got into (unintelligible) to air samples and
18 where they were taken on the drawings. And the fella
19 that, and we had a couple of fellas there that we
20 were talking to. And I know we went over some of the
21 issues this morning, but he has talked about the air
22 samples being taken. He was, worked there back in
23 '50 and '51. I think even earlier than that, but he
24 talked about taking an air sample at the -- he
25 remembered that. And he told me this about a year

1 ago, and when he told me that, I had seen it in the
2 air sample data that there was some taken there.

3 I knew the man was telling the truth and was real
4 sincere because out of the clear blue he says that I
5 remember a man taking samples by the water fountain.
6 Now, I never said nothing to him about that, and to
7 this day I never said a word that I had seen it
8 prior. So this is the credibility that that man had.
9 And believe me, Arjun pumped him like he had
10 committed a murder. So I know the information, and
11 I'm really pleased what was done there.

12 It was mentioned this morning something about the
13 breathing zones and one of the samples taken it was
14 brought up that it was taken by stand one. It was
15 taken, actually, the breathing zone sample was taken
16 between the salt bath and stand one. And I called up
17 this fella, and I remember working there. I remember
18 the salt bath, but I can't remember the detail
19 because I got out of the plant like five years later,
20 and I don't remember all those details. So I asked
21 him, I says, between, I says, what's the area between
22 the salt bath and the first stand? I knew it was
23 considerable, but I says, about what would your best
24 guesstimate be? And he said it was about 50 to 60
25 feet, which was substantial. And I says, there's no

1 definition or real description on where that air
2 sample was taken, whether it was taken right by the
3 stand or whether it was taken by the salt bath.

4 And as they picked out -- the crane operator was
5 there that actually picked up these rods and took
6 them out of the salt bath. And that area, that's all
7 they done was he came over with the crane. He picked
8 it up. They must have had some kind of a guide on it
9 to hold it from swinging around, and they took it.
10 There's really nothing there between the salt bath
11 and stand one that would be a breathing zone sample
12 could make anything because if anybody was there for
13 any length of time, he was just walking from one spot
14 over to the other. So I don't feel that air samples
15 like that were taken properly.

16 I think someone asked this morning about the
17 clean up before and after. And I don't know if that
18 was really explained very good. There was certainly,
19 you know, clean up before. And if you talk to any
20 one of the workers, which I've probably talked to
21 about 30 that actually worked there. Some of them
22 worked there later, but they would certainly tell you
23 what the conditions of that job was, and there was no
24 way that plant could have been cleaned up.

25 And some of the stuff the man was talking about

1 that basement area under this cooling bin that's
2 larger than a football field, that was like a pepper
3 shaker with this black soot coming off of the rod
4 down below. Now we talk about a ten-hour day. They
5 rolled on Saturday so ten hours for working would be
6 favorable to them. Those guys didn't clean that out
7 on Saturday to start with. They cleaned it out
8 whenever they were sent down.

9 Now I don't know how it was mixed when it got
10 down there, whether there was a layer of steel on top
11 of it or not, but I can actually, I could bring you
12 the person that actually went down and shoveled it up
13 with a shovel and a wheelbarrow and shoveled up into
14 a hopper. And they took it out and dumped it into
15 these cars that I was referring to this morning. So
16 clean up wasn't in that ten-hour day. That operation
17 didn't start Saturday morning at eight o'clock and
18 quit at 4:30 in the afternoon. That operation was on
19 continually.

20 When did they clean it out? Sometimes they'd
21 clean it out twice a month. Sometimes they'd clean
22 it out once a week. There was no set time. When
23 they had the spare men there to go down and do it,
24 they went down and cleaned it out. They didn't take
25 out a layer of steel and then say, well, here's the

1 uranium. Don't get near it. No protection
2 whatsoever, and it was impossible to clean it out.

3 So you talk about how long were they working with
4 uranium? The electricians that worked down there
5 didn't (unintelligible) that. The carpenters that
6 worked down in that pit, yes, there was electrical
7 boxes and there was buildings. They had to do
8 maintenance work down there all week long. If it was
9 there, they walked through it to get to their spot,
10 to their work station. It was mixed up. There was
11 no (inaudible) and 50 percent's going to be gone
12 tomorrow and another 50 percent the next day. That's
13 not going to happen in any of the areas at Bethlehem
14 Steel.

15 And then there was stuff that went up into the
16 ceiling. You've probably seen the picture, the size
17 of that mill. And if you go downstairs and you look
18 in that hallway down there, that isn't as big as the
19 operation at Bethlehem Steel. When you take, and
20 you're running uranium from one end with different
21 procedures, and you take that building and it's just
22 pretty, pretty accurate, too, the size of that room,
23 you're not going to clean that up in one shift.
24 There's no way.

25 And if you do clean it, it's not going to be work

1 down there. These guys did not clean it. The boss
2 told them to clean it -- and there was a track
3 through it. They'll sweep it off into a corner, and
4 that's where it was. So we're not talking a ten-hour
5 day down there.

6 (Inaudible) that three period of '50 and '51, and
7 I know (inaudible) been allowed a rolling once a
8 month, and I guess you could say that's claimant
9 favorable. You could say it, but I don't think it's
10 too claimant favorable because there is documentation
11 that says that something went on in '49 and '50. It
12 was documentation that there were records, but they
13 were destroyed. And I'm going to explain to you why
14 something had to go on that only made sense to me and
15 to anybody that worked down there.

16 That building that I told you downstairs was just
17 where they rolled uranium. There was other buildings
18 attached to this building about that size that ringed
19 off to the side. And if you opened up a door, right
20 on Lake Erie basically, right on the beach, you
21 opened up the doors to get ventilation in summer.
22 Well, they weren't open every day in summer. That
23 thing would blow.

24 This 50 percent every day that you're losing, you
25 open up one of those big double-head doors openings

1 to let the wind come in, that stuff is mixed in the
2 pile. You could be sitting there and a pile of pure
3 uranium could come down and hit you today, maybe the
4 next day it's still, and you didn't know. That could
5 have stayed up there for three, four days until the
6 door was opened or a crane went by and happened to
7 bump it or shake it off. So as far as not being
8 exposed other than those ten hours is just really
9 ridiculous.

10 And as far as what period, from '49 to '51, they
11 did not walk in there on the first test rolling and
12 say, here, we got uranium, fellas. Start it up; let
13 her rip. That wasn't the case. They had that mill,
14 and this fella that Arjun talked to said it took them
15 well over a year when they first built that mill to
16 open the mill after it was built to get what he
17 called the bugs out of it because we were having
18 cobble with steel. And to get it so they could
19 really start rolling on a production basis on regular
20 steel was well over a year.

21 Well, I don't believe anybody in this room thinks
22 that they went in there Saturday morning and says,
23 okay, come in Saturday morning. We're going to run
24 uranium. First of all, the rolling runs Bethlehem
25 Steel had 16 roll stands or mills so to speak that

1 you rolled out this rod in. They ended up, they took
2 out of the middle of these stands, they called it
3 from nothing to finishing. They took out of the
4 middle of these 16 stands, they took out enough
5 stands that they could start the uranium because they
6 figured out that they could roll a three inch billet
7 or a four inch billet with only six stands of uranium
8 down to that inch and a half rod. So they didn't
9 need the rest of the stands.

10 That wasn't thought of that morning. That had to
11 be researched. They had to test it. We were working
12 with lead billets. They had to build the salt baths.
13 All that had to be done. They were working in that
14 plant, and I think this document that we're talking
15 about, I was talking about, will attest to that.
16 There was experimental work going on that weren't
17 considered rollings. There was no consideration
18 given to the work that those people done and to make
19 the rollers.

20 They had to make these rollers. These rollers
21 were special, and they put them in these big stands,
22 and they rolled like a washing machine roller, and
23 they had ridges in them. The first ridge might have
24 been three inches. The next one might have been two
25 and a half, and the next one might have been two and,

1 you know, and there was a pair of rollers that we had
2 to squeeze this rod down in. And those all had to be
3 made, and that all had to be tested. And there's
4 nothing in the dose reconstruction that picks up any
5 exposure for that.

6 And we don't know. What did they do with the
7 lead bath? What experiments did they do with the
8 lead bath? This lead bath was an open bath like a
9 bathtub made out of brick, and they had heat in it.
10 And they preheated this uranium in a furnace, brought
11 it over, put it in the lead bath. The uranium and
12 the lead, today you can't sell your house in New York
13 state if you've got lead in the paint that was put in
14 there 60 years ago. They won't allow you to get that
15 close to lead.

16 These men bend over with hooks, and as those
17 rods, those bolts came down, and there's nine of them
18 in there, they had to by hand take it out. Where's
19 the breathing zone samples? Where was the breathing
20 zone samples then? Do you want to stick your head
21 over a salt bath, 11, 12 hundred degrees with a hook
22 with no protection at all?

23 Remember, we were lied to for 50 years by the
24 government. We had no idea. The boss sent you to go
25 over there and get them out of there. You had no

1 idea. It wasn't steel -- It wasn't any different
2 than steel as far as you're concerned. And at times
3 they couldn't even get them out. They were so heavy
4 that the hooks and that bent.

5 None of this is taken into consideration in this
6 dose reconstruction, the site profile. So these are
7 some of the issues, and there's many, many more that
8 I could go on, but for your benefit, I asked for a
9 half hour, and it might be about that so I don't want
10 you all walking out when I'm standing here talking.
11 So these are some of the real issues that I'm
12 concerned about beside the technical base.

13 And if you don't have the right information, you
14 might want to, if you don't understand that
15 operation, I can't see how anybody can make a dose
16 reconstruction and be accurate with it. And we're
17 talking (unintelligible). As I said over the salt
18 bath, the temperature of that and how much did you
19 take in in a day. How does anybody know?

20 And the fact that the government has paid sites.
21 They have paid workers at sites with no questions
22 asked and no dose reconstruction. I've got bladder
23 cancer. I'll live with that as long as I can.
24 People are getting paid in other parts of the country
25 no questions asked. Is it fair to the Bethlehem

1 Steel or is it fair to any worker whether it's down
2 here, whether it's up at Simonds Saw, whether it's
3 Linde, is it fair when you make up a technical base
4 document without the proper information input?

5 There may be a lot of facilities that this
6 program works at. I'm not going to deny that, maybe
7 a lot of them, but there's a lot of them that don't.
8 And I think unless it's thoroughly researched that
9 we're not getting a fair shake. And so much for
10 today. I may have more for tomorrow, but we'll leave
11 it go at that today. And I want to thank you again.
12 I really hope that you consider this and have NIOSH
13 really look into this because I really feel that
14 we're getting an unfair shake on this whole thing.
15 Thank you very much.

16 DR. ZIEMER: Thank you, Ed. And indeed, you've
17 been a good resource for the contractor and for NIOSH
18 to help identify some of the issues and work
19 practices there at Bethlehem Steel helping us do a
20 better job at what we're supposed to do as well, and
21 so we thank you for that.

22 Last opportunity, anyone else that wishes to
23 address the assembly that didn't get a chance to sign
24 up?

25 Yes, sir, please approach the mike. Give us your

1 name again.

2 **MR. BEATTY:** Yes, sir, my name is Ray Beatty.
3 I'm currently employed at the Fernald site, Fernald,
4 Ohio. I purposely waited last here to not infringe
5 upon the local folks here to speak. And I, too, have
6 attended numerous board meetings, followed it rather
7 closely, and I also sit on an advisory board or two
8 myself, one being the Fernald Medical Monitoring
9 Program. And one of the tasks that we have as an
10 advisory board is to make sure that things, you know,
11 programmatically are running smoothly.

12 Well, I'm here today to point out one major
13 problem that we've encountered with a claimant from
14 Fernald, and I think it's something very important
15 the board needs to hear. I have been designated as a
16 representative through the Department of Labor's
17 forums to represent this individual through the
18 claims process. I'm talking about an individual who
19 works at Fernald, is still employed, has been there
20 since March 9th of 1953, still working.

21 He filed a claim back in April of this year. I
22 won't go into a lot of details due to the sensitivity
23 and everything, but nevertheless, he has a brother
24 that works at the site as well. His brother has a
25 form of cancer as well and in the process of wading

1 through these processes that DOL, DOE, NIOSH, and
2 different ones have, the phone interview process was
3 the issue come to hand.

4 The second gentleman that filed his claim filed
5 like eight, nine, ten weeks after the first
6 gentleman. He was talking about his phone interview
7 process coming one day in our office, and we thought
8 that was somewhat, you know, different that the first
9 individual hadn't been contacted who had filed eight
10 or nine weeks earlier.

11 So we did a little investigative work and found
12 out that the first individual's application was
13 laying on the desk of a Department of Labor claims
14 representative. Called this individual to find out
15 what the problem was. Why hadn't his gone to NIOSH
16 for dose reconstruction or at least a phone
17 interview. He said he had contacted the Department
18 of Energy three times and could not get employment
19 verification.

20 Now is that silly or what? This guy's a 53 year
21 veteran, still working there, and they can't prove
22 he's employed there or worked there. Now in all
23 fairness to them, there was a break in his service
24 for military service, two years. Doesn't take a
25 rocket scientist to figure that out that this guy is

1 still there. This is a breakdown in communications.
2 Now if this happened to a 50 year veteran that's
3 still employed, what are these people throughout the
4 country going through on this process?

5 Someone really needs to take a good look at this.
6 Now in fairness again to some of the agencies
7 involved, I wasn't getting anywhere with the
8 Department of Energy personally. They didn't want to
9 talk to me or the individual that was involved.
10 Called the Department of Labor and asked for a copy
11 of where he had requested this employment
12 verification. He did not want to do that. I
13 understood what his reasonings were.

14 So my next step is to contact NIOSH personally
15 and find out what I could do. Thank goodness someone
16 there helped me, and I appreciate that very much. So
17 found out just before I left for this meeting
18 yesterday that his employment verification had been
19 done this past week. It took six months to prove
20 that he worked there.

21 There's something badly wrong with that process
22 so I'd like for the board to be aware of it. If you
23 want any kind of details or verification, any kind of
24 documentation to support what I've stated here today,
25 I have it. And especially an e-mail or a fax, I

1 should say, from the Department of Energy finally
2 that they had only received one request for
3 employment verification.

4 Now someone in the Department of Labor or someone
5 in the Department of Energy has not told me the
6 truth, and I'd like to find out which one didn't tell
7 me the truth, okay? So that's the kind of stuff
8 that's going on. Thank you very much.

9 DR. ZIEMER: Thank you very much, and we're
10 pleased that you were able to get that solved with
11 NIOSH's help. Incidentally, this will be on the
12 record, but the board itself has run into
13 frustrations at times trying to get things from the
14 Department of Energy as well, and sometimes find it
15 very difficult ourselves to get into the bureaucracy.
16 That doesn't excuse it, but it's something
17 unfortunately more common than one would hope. We're
18 glad that you were able to get that solved by
19 persistence which is what usually is required.

20 Now we do have a chance for anyone else, final
21 comments?

22 If not, I thank you all for participating. I do
23 want to remind you that in addition to the regular
24 session tomorrow, which is open, and it begins at
25 8:30, there will be a public comment period tomorrow

1 evening beginning at seven o'clock, and you're
2 certainly welcome to participate then if you so
3 desire.

4 So with that we are recessed until tomorrow.
5 Thank you very much.

6 (Meeting adjourned at 4:37 p.m.)

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CERTIFICATE OF COURT REPORTER**STATE OF GEORGIA****COUNTY OF FULTON**

I, Steven Ray Green, Certified Merit Court Reporter, do hereby certify that I reported the above and foregoing on the day of October 17, 2005; and it is a true and accurate transcript of the testimony captioned herein.

I further certify that I am neither kin nor counsel to any of the parties herein, nor have any interest in the cause named herein.

WITNESS my hand and official seal this the 4th day of December, 2005.

STEVEN RAY GREEN, CCR**CERTIFIED MERIT COURT REPORTER****CERTIFICATE NUMBER: A-2102**